

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:20CR301
)	
Plaintiff,)	AFFIDAVIT IN SUPPORT OF
)	MOTION FOR ISSUANCE OF
v.)	SUBPOENAS DUCES TECUM IN
)	FORMA PAUPERIS
TRAYNELL D. TONEY,)	
)	
Defendant.)	

Assistant Federal Public Defender, Julie B. Hansen, being first duly sworn, states that:

1. The Federal Public Defender's Office has been appointed to represent the Defendant because the Defendant is without funds to pay for the defense of his case.

2. The Defendant intends to subpoena Dismas Charities of Omaha, Nebraska, to offer testimony and/or records and/or reports on behalf of the Defendant at the trial in this matter.

Counsel requests that this Court order that a copy of the requested reports and/or records be provided to defense counsel no later than the close of business on December 4, 2020. This request is based upon defense counsel needing time to prepare for trial and the resulting investigation that may need to be completed after a review of the documents received by said subpoena.

3. The documents/records sought cannot otherwise be reasonably obtained by exercise of due diligence.

4. The moving party cannot properly prepare for trial without such production and inspection in advance.

5. The failure to obtain advance production and inspection of the documents/records may unreasonably cause irreparable harm.

6. This application is made in good faith and is not intended for the purpose of general discovery.

7. Completed Subpoenas Duces Tecum In Forma Pauperis for the above-described reports and/or records have been provided to the Court.

I declare under penalty of perjury, pursuant to 28 U.S.C. §1746, that the foregoing is true and correct.

Executed on this 17th day of November, 2020.

TRAYNELL D. TONEY, Defendant,

By: s/ Julie B. Hansen
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